



County of Los Angeles CHIEF EXECUTIVE OFFICE

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DAVID E. JANSSEN
Chief Executive Officer

July 17, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: BIG TUJUNGA DAM
AWARD SUPPLEMENTAL CONSULTANT SERVICES AGREEMENT 6
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Award and authorize the Director of Public Works to execute Supplemental Agreement 6 to Contract 70407 with MWH Americas, Inc., for construction support services for the Big Tujunga Dam Seismic Rehabilitation and Spillway Modification project for a not-to-exceed fee of \$2,000,000 to be financed by the Fiscal Year 2007-08 Flood Control District budget.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to award and authorize the Director of Public Works to execute a Supplemental Agreement with MWH Americas, Inc. (MWH) for construction support services for the Big Tujunga Dam Seismic Rehabilitation and Spillway Modification project. This Agreement will enable us to retain MWH to provide engineering services during construction of this complex project, including review of concrete mix design and testing results; mass concrete cooling plan, shop drawings, submittals, and change orders; response to requests for information; providing engineering analysis during foundation excavation; and developing as-built plans and operation and maintenance manuals for the completed project.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Organizational Effectiveness (Goal 3) by allowing efficient and effective use of consultants to provide engineering and construction support services of a highly specialized nature that are not available in the Department of Public Works.

FISCAL IMPACT/FINANCING

There will be no impact to the County's General Fund.

The recommended Supplemental Agreement for this project is for a not-to-exceed fee of \$2,000,000 for construction support services and will increase the contract amount from \$2,676,718 to \$4,676,718. Financing for these services is available in the Fiscal Year 2007-08 Flood Control District budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On November 19, 1996, your Board approved a Consultant Services Agreement with Harza Engineering Company to conduct a reanalysis study of Big Tujunga Dam and to develop seismic and spillway rehabilitation alternatives to meet State Division of Safety of Dams (DSOD) criteria. On June 25, 2001, Harza Engineering Company merged with Montgomery Watson Inc., and became MWH. On March 20, 2007, your Board approved the project and adopted the final plans and specifications. Bids for this construction project were received on May 31, 2007. On June 26, 2007, your Board awarded the construction contract to Shimmick Construction Company in the amount of \$88,533,680. Construction activities are anticipated to begin in September 2007.

A standard Supplemental Agreement, previously approved as to form by County Counsel, will be used. The standard Board-directed clauses that provide for termination of services, renegotiation, and hiring of qualified displaced County employees will be included. With the exception of the increase in the not-to-exceed contract amounts, all other terms, conditions, and requirements of the original contract will remain unchanged.

As required by your Board, language will be incorporated into the Agreement stating that the consultant shall notify its employees and shall require each subconsultant to notify its employees about Board Policy 5.135, the Safely Surrendered Baby Law, and that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration for contract award, MWH is willing to consider Greater Avenues for Independence Program/General Relief Opportunity for Work participants for future employment.

The MWH is in full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Jury Services Program).

ENVIRONMENTAL DOCUMENTATION

In accordance with Section 15378 (b) (5) of the California Environmental Quality Act (CEQA) Guidelines, approval of the recommended action does not constitute a "project" and, hence, is not subject to the requirements of CEQA.

On January 31, 2006, Agenda No. 40, your Board approved the Mitigated Negative Declaration and Mitigation Monitoring Program prepared for the Big Tujunga Dam Seismic Rehabilitation and Spillway Modification project.

CONTRACTING PROCESS

On November 19, 1996, your Board awarded Contract 70407 to Harza Engineering Company to provide conceptual alternatives for Big Tujunga Dam to meet DSOD criteria. Harza was selected to perform the work after careful evaluation of proposals from qualified engineering firms who responded to our Request for Proposal. On June 25, 2002, your Board approved Supplemental Agreement 2 with MWH (formerly Harza) for a not-to-exceed fee of \$2,222,418 to prepare final design plans and construction specifications for Big Tujunga Dam. On June 14, 2005, your Board approved Supplemental Agreement 4 with MWH for a not-to-exceed fee of \$175,000 to provide additional engineering and design services for the valve house, control house, gallery design, and additional erosion protection measures and stability evaluation of the left abutment required by DSOD as a consequence of the rockslide triggered by spillway flows in January 2005. Supplemental Agreements 1, 3, and 5 for not-to-exceed amounts of \$24,280; \$4,110; and \$0 respectively, were executed under the authority delegated to the Director of Public Works. MWH's fee proposal of \$2,000,000 for the additional work for Supplemental Agreement 6 has been reviewed by Public Works and is considered fair and reasonable. The recommended supplement will increase the contract's not-to-exceed amount from \$2,676,718 to \$4,676,718.

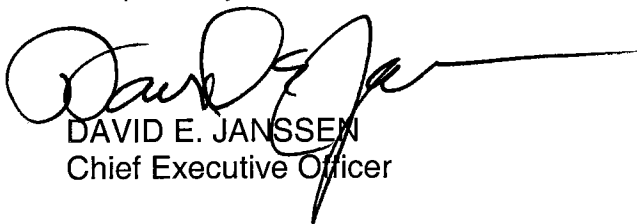
IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current County services or projects during the performance of the recommended services. Approval of this action will benefit the County by allowing the consultant to provide engineering and construction support services of a highly specialized nature freeing County resources for other projects.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Water Resources Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David E. Janssen', with a long horizontal line extending to the right.

DAVID E. JANSSEN
Chief Executive Officer

DEJ:DLW
RK:vt

c: County Counsel
Department of Public Social Services (GAIN/GROW Program)
Department of Public Works (Architectural Engineering, Construction,
Watershed Management)